



Entered on Docket
December 18, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹

Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Affects:

- ☐ All Debtors
☒ Affects the following Debtor(s):
Rhodes Design and Development
Corporation
The Rhodes Companies, LLC

Hearing Date: December 17, 2009
Hearing Time: 9:30 a.m.
Courtroom 1

**ORDER GRANTING DEBTORS' EIGHTH OMNIBUS OBJECTION TO CLAIMS
PURSUANT TO SECTION 502(b) OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULES 3003 AND 3007
[BOOKS AND RECORDS CLAIMS – REDUCE & ALLOW] [DOCKET NO. 752]**

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

LARSON & STEPHENS
 810 S. Casino Center Blvd., Suite 104
 Las Vegas, Nevada 89101
 Tel: (702) 382-1170 Fax: (702) 382-1169

Upon consideration of the *Debtors' Eighth Omnibus Objection to Claims Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rules 3003 and 3007 [Books and Records Claims – Reduce & Allow]* [Docket No. 752] (the "Eighth Omnibus Objection"),² filed by the above-captioned debtors and debtors in possession (collectively, the "Debtors"), requesting that the Court enter an order reducing the Books and Records Claims as set forth in the Column marked "Total Modified Amount" in **Exhibit A** attached hereto; and the Court having jurisdiction to consider the Eighth Omnibus Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed the Eighth Omnibus Objection; the Court hereby finds and determines that, pursuant to Rule 3007 of the Federal Rules of Bankruptcy Procedure, due and proper notice has been provided to the holders of the Books and Records Claims and all other parties entitled to notice; and no other or further notice is necessary; and the relief requested in the Eighth Omnibus Objection is in the best interests of the Debtors, their estates and creditors; and that the legal and factual bases set forth in the Eighth Omnibus Objection establishes just cause for the relief requested therein; therefore

IT IS HEREBY ORDERED THAT:

1. The Eighth Omnibus Objection is granted.
2. The Books and Records Claims identified on **Exhibit A** attached hereto are hereby reduced as set forth in the column marked "Total Modified Amount" in **Exhibit A**.
3. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Eighth Omnibus Objection.

1 APPROVED/ DISAPPROVED:

2 DATED this 17th day of December 2009.

3 By: August B. Landis
4 UNITED STATES TRUSTEE
5 August B. Landis
6 Office of the United States Trustee
7 300 Las Vegas Blvd. S., Ste. 4300
8 Las Vegas, NV 89101

9 Submitted by:

10 DATED this 17th day of December 2009.

11 By: /s/ Zachariah Larson
12 LARSON & STEPHENS
13 Zachariah Larson, Esq. (NV Bar No 7787)
14 Kyle O. Stephens, Esq. (NV Bar No. 7928)
15 810 S. Casino Center Blvd., Ste. 104
16 Las Vegas, NV 89101
17 (702) 382-1170 (Telephone)
18 (702) 382-1169
19 zlarson@lslawnv.com
20 Attorneys for Debtors

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

EXHIBIT A**To Eighth Omnibus Objection to Claims
[Books & Records – Reduce and Allow]**

Claim No.	Claimant Name	Filed in Debtor Case	Claimed Amount Unsecured	Total Claimed Amount	Total Modified Amount	Proposed Treatment/Disposition
74	CAPITOL NORTH AMERICAN 1780 SOUTH MOJAVE ROAD LAS VEGAS, NV 89104	09-14814	2,664.00	2,664.00	1,852.10	Reduce and allow as a general unsecured claim in the modified amount
22	KYLE MOYER & COMPANY JANET BETTS HOLME ROBERTS & OWEN, LLP 16427 N. SCOTTSDALE RD, STE 300 SCOTTSDALE, AZ 85254	09-14814	34,104.74	34,104.74	30,000.00	Reduce and allow as a general unsecured claim in the modified amount
8	OFFICE DEPOT ATTN: KATHLEEN LARAMORE 6600 N. MILITARY TRAIL -S413G BOCA RATON, FL 33496	09-14814	3,270.88	3,270.88	2,666.88	Reduce and allow as a general unsecured claim in the modified amount
3	QUALCOMM INCORPORATED SALLY CADIRCI, LEGAL ANALYST 5775 MOREHOUSE DRIVE, AA-4420 SAN DIEGO, CA 82121	09-14817	6,073.00	6,073.00	1,500.00	Reduce and allow as a general unsecured claim in the modified amount
29	ROADSAFE TRAFFIC SYSTEMS INC ATTN: ELISEO SEGUI 3015 E ILLINI ST PHOENIX, AZ 85040	09-14846	6,173.00	6,173.00	2,097.33	Reduce and allow as a general unsecured claim in the modified amount
132	WILMAR CONTRACTING, INC. ATTN: MELANIE HENRY 4525 W. HACIENDA AVE., SUITE 1 LAS VEGAS, NV 89118	09-14846	9,191.50	9,191.50	5,688.00	Reduce and allow as a general unsecured claim in the modified amount

LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Submitted by:

DATED this 17th day of December, 2009.

By: /s/ Zachariah Larson

LARSON & STEPHENS

Zachariah Larson, Esq. (NV Bar No 7787)

Kyle O. Stephens, Esq. (NV Bar No. 7928)

810 S. Casino Center Blvd., Ste. 104

Las Vegas, NV 89101

(702) 382-1170 (Telephone)

(702) 382-1169

zlarson@lslawnv.com

Attorneys for Debtors

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Las Vegas, Nevada 89101
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